

ENVIRONMENTAL INSPECTION REPORT City of Oakland – Leona Quarry

Date:	July 21, 2004; 8:30 a.m. – 11:00 a.m.
Inspector:	Matthew Weinand (Essex Environmental)
Weather:	Sunny, approximately 75 degrees Fahrenheit, and approximately 2 to 5 mph wind.

ACTIVITY: Whipsnake Fence Inspection

COMMENTS: Inspected the entire length of the Alameda whipsnake protection fence with Construction Monitor Eric Vance (Wetlands Research Associates). Noted and discussed necessary fence repairs with Eric such as areas where the exclusion fence was not buried correctly or had pulled out of the ground, had slumped below the minimum height requirement of 24 inches, was in close proximity to felled vegetation (possibly allowing a whipsnake to climb and drop over), or was in need of having holes patched. Eric communicated the need for all of the above fence repairs to a laborer with the contractor (DeSilva Gates).

Below the large rocky outcrop between the north slope and the upper bowl a recent slope collapse had occurred (approx 8-foot wide) which has left the fence suspended in the air over the newly resulting gully. Eric communicated to a laborer with the contractor (DeSilva Gates) that the fence undermined by the slope collapse be reinstalled upslope of the new gully.

The Non-Compliance issued last week (refer to Environmental Inspection Report of July 16, 2004) states that “the whipsnake fence that was in place at the bottom of the slope was removed to allow equipment conduct the work, and was then replaced in a temporary manner that does not meet the protection specifications. At the end of the day, the fence was stretched across a road and weighted down with rocks spaced every few feet. It would be possible for a whipsnake to climb either under or over the temporary fence and into the general construction area.” Although the construction strategy for this location may still be undetermined at this time, the condition of this fence has not changed, and Essex recommends that this section of fence be immediately reinstalled as required by the project’s Special Status Species Mitigation and Monitoring Plan.

ACTIVITY: Bird Nesting Inspection

COMMENTS: Construction Monitor Eric Vance (Wetlands Research Associates) and I monitored the rock crevices in the large rocky outcrop between the north slope and the upper bowl where there are nesting white-throated swifts. We observed the swifts entering and exiting two different crevices in the large rocky outcrop. Although the removal of this outcrop is planned as part of construction, this cannot occur prior to the completion of swift nesting activities. Essex Environmental recommends that the City of Oakland require DeSilva Gates (the Contractor) to obtain written confirmation from Wetlands Research Associates that nesting has been completed prior to removal of the large rocky outcrop to insure protection of the nesting swifts. Eric and I will continue to monitor this location until it is determined that the swifts have concluded nesting activities.

OUTSTANDING ITEMS:

1. The contractor needs to make the repairs/reinstallation noted above to the Alameda whipsnake protection fence so that the fence meets the specifications of the project's Special Status Species Mitigation and Monitoring Plan.
2. The contractor needs to either build a new whipsnake exclusion fence isolating the north slope work area or submit plans for approval to the City of Oakland for an alternative protection measure for Alameda whipsnake in the area of the slope repair in the lower quarry. The plans must be submitted prior to the initiation of construction activity on the North Slope in potential whipsnake habitat (refer to Environmental Inspection Report of June 9, 2004).
3. The City of Oakland and the contractor need to determine if the Alameda whipsnake fence should be reconstructed to provide an outward lean, per the Special Status Species Plan and Conditions of Approval (refer to Environmental Inspection Report of June 24, 2004).